

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION No. 12157 of 2004

Between:

T. Rama Mohan Rao, S/o. Balarama Murthy,
R/o. Tokalapuri, West Godavari District.

..... PETITIONER

AND

The General Manager, DCCB, Eluru, West Godavari District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an Order or Direction more particularly one in the nature of Writ of Mandamus: (a) Declaring the action of the Respondent Bank in initiating and continuing the proceedings after retirement is bad in law and without authority; (b) Further declare the action of the Respondent Bank in not releasing the amounts due to the Petitioner viz., gratuity interest, TA & DA bills, pending salary, remaining salary during suspension period, dues of repair of buildings, Valamaru (PACCS) etc., on the ground of pendency of proceedings as arbitrary, illegal, unjust and therefore violative of Articles 14 of the Constitution of India; (c) Consequently direct the Respondent Bank to release the amounts together with interest @ 15% within 2 months.

Counsel for the Petitioner: MR.NUTY RAM MOHAN RAO

Counsel for the Respondent: MR.K.CHIDAMBARAM

The Court at the stage of admission made the following:

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ORDER:

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The petitioner worked as a Manager in-charge in the respondent Bank and retired from service on 31.10.1999. The petitioner contends that the respondent did not pay him the retirement benefits on the pretext of some financial irregularities, said to have been committed by him during period of his service.

2. The learned counsel for the respondent represented that the respondent paid Gratuity of Rs.2,59,856-50ps, Leave Salary of Rs.25,670-30ps and P.F.amount of Rs.3,002-00 to the petitioner, and further represented that no amounts remained due to the petitioner.

3. The learned counsel for the petitioner submitted that the respondent did not take any steps to pay the retirement benefits till 2002, therefore, the respondent is liable to pay the interest on the amount payable to him on his retirement. The petitioner is also disputing the quantum of amount, paid by the respondent under the above heads.

4. In the light of the above circumstances, the petitioner is directed to submit a detailed representation to the respondent, regarding the amounts payable to him towards retirement benefits, and on submission of such representation, the respondent shall examine the issue once again and pass appropriate orders with reference to the records, within a period of two months from the date of receipt of a representation from the petitioner. The petitioner is at liberty to raise all his objections in his representation.

5. The Writ Petition is, accordingly, disposed of. No order as to costs.

dsr/svs

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

- 1. The General Manager,
District Cooperative Central Bank,
Eluru, West Godavari District

- 2. Two CD copies.